

## Message Text

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56-R  
ACTION PER-03

INFO OCT-01 ISO-00 /004 W  
----- 090147

R 311430Z JUL 76  
FM AMEMBASSY BRASILIA  
TO SECSTATE WASHDC 7102  
INFO AMCONSUL RIO DE JANEIRO  
AMCONSUL SAO PAULO

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FOR DIRECTOR GENERAL FROM AMBASSADOR

E.O. 11652: N/A  
TAGS: CVIS, PDIP, AFSP, BR  
SUBJ: EMPLOYMENT ABROAD FOR FOREIGN SERVICE SPOUSES

REF: STATE 168696

1. REFTEL DISCUSSES OPPORTUNITIES FOR EMPLOYMENT ABROAD FOR FOREIGN SERVICE SPOUSES, AND INVITES SUGGESTIONS AS TO MEANS OF ENLARGING THESE OPPORTUNITIES. I AM WHOLLY IN SYMPATHY WITH THE OBJECTIVES OF THIS PROJECT. I BELIEVE IT NEEDS TO BE POINTED OUT, HOWEVER, THAT FOREIGN SERVICE REGULATIONS, AS WELL AS THE RULES WE APPLY TO SPOUSES OF FOREIGN OFFICIALS IN WASHINGTON, STILL OPERATE TO RESTRICT OPPORTUNITIES SEVERELY.

2. 3 FAM 620 GIVES, AS EXAMPLES OF THE KIND OF EMPLOYMENT SPOUSES MIGHT ACCEPT, TEACHING AND HOSPITAL WORK AND EMPLOYMENT WHICH "SUPPORTS OVERALL US OBJECTIVES BY FAVORABLY REFLECTING EDUCATIONAL, CULTURAL AND PROFESSIONAL ACCOMPLISHMENTS OF US CITIZENS." IN SETTING FORTH POST POLICIES ON THIS SUBJECT, AMBASSADORS ARE CAUTIONED TO CONSIDER, AMONG OTHER THINGS, "POSSIBLE ADVERSE EFFECTS ON THE SPECIAL STATUS OF THE EMPLOYEE AND  
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HIS FAMILY AS OFFICIAL REPRESENTATIVES OF THE

UNITED STATES." THIS WORDING SEEMS TO DISCOURAGE EMPLOYMENT FOR REMUNERATION OUTSIDE THE PROFESSIONAL AND CULTURAL FIELDS. REFTEL, ON THE OTHER HAND, SPECIFICALLY ASKS POSTS TO LIST IN POST REPORTS EMPLOYMENT OPPORTUNITIES WITH AMERICAN, INTERNATIONAL, AND THIRD COUNTRY "FIRMS," WHICH SUGGESTS DEPARTMENT HAS IN MIND A MUCH BROADER RANGE OF EMPLOYMENT THAN FAM CURRENTLY ADDRESSES.

3. LAST MAY, THE EMBASSY REPORTED (BRASILIA 3915) A REQUEST FROM A BRAZILIAN MAJOR GENERAL FOR ASSISTANCE IN OBTAINING PERMISSION FOR HIS DAUGHTER TO WORK. SHE IS ASSIGNED TO WASHINGTON AS THE WIFE OF A BRAZILIAN OFFICIAL WITH A-2 VISA STATUS. SHE HAD LOCATED MUCH NEEDED EMPLOYMENT AS A SALESWOMAN IN A WASHINGTON BOUTIQUE. THE DEPARTMENT'S REPLY (STATE 131587) WAS THAT APPROVAL COULD BE GRANTED ONLY FOR EMPLOYMENT IN THE "EDUCATIONAL, CULTURAL, OR MEDICAL FIELDS," AND THEN ONLY IF THE APPLICANT HAD "SPECIALIZED KNOWLEDGE QUALIFYING HIM FOR SUCH WORK." (THE EMBASSY PASSED THIS REFUSAL ON TO THE AIR MINISTRY HERE, BUT CONTINUES TO RECEIVE COMPLAINTS ON THIS CASE FROM SOURCES AS HIGH AS THE MINISTER HIMSELF).

4. OBVIOUSLY IN THIS KIND OF SITUATION OUR OWN RESTRICTIVE POLICIES ARE LIKELY TO HAVE AN EFFECT ON THE POLICIES OF THE GOB, ALTHOUGH SO FAR IT HAS PREFERRED NOT TO COME TO GRIPS WITH THE QUESTION. SOME USG SPOUSES IN BRAZIL HAVE TAKEN ON REMUNERATIVE EMPLOYMENT WITH NO QUESTIONS ASKED BY THE EMPLOYER. WE HAVE REFERRED A FEW CASES TO ITAMARATY, WHEN THE EMPLOYER INSISTED THAT A USG SPOUSE OBTAIN EXPLICIT PERMISSION FROM THE FEDERAL AUTHORITIES AS A CONDITION TO COMMENCING WORK. ITAMARATY'S POSITION INFORMALLY WAS THAT IT WOULD HAVE BEEN BETTER IF WE HAD NOT RAISED THE QUESTION, BUT THAT SINCE WE HAD, A NEGATIVE RESPONSE HAD TO BE GIVEN. THIS APPLIED EVEN IN CASES OF TEACHING JOBS, AND IN THIS SENSE BRAZILIAN POLICY IS TOUGHER THAN OURS.

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ITAMARATY HAS, HOWEVER, PERMITTED THESE SAME SPOUSES TO GIVE UP THEIR OFFICIAL VISAS, SUBSTITUTING TEMPORARY VISAS, AND ACCEPT THE EMPLOYMENT ON THAT BASIS. IT WOULD PRESUMABLY BE VERY DIFFICULT FOR FOREIGN SPOUSES IN WASHINGTON TO TAKE UP REMUNERATIVE EMPLOYMENT WITH SOME OTHER KIND OF TEMPORARY VISA. CONSEQUENTLY, IF THE GOB DECIDES TO APPLY RECIPROCITY, WE MAY FIND THIS POSSIBILITY CLOSED TO OUR SPOUSES

AS WELL. IN ANY CASE, AS NOTED ABOVE, 3 FAM 620  
SEEMS INTENDED TO DISCOURAGE THE ACCEPTANCE OF  
EMPLOYMENT WHICH HAS "ADVERSE AFFECTS" ON THE "SPECIAL  
STATUS" OF DEPENDENTS OF US OFFICIALS.

5. I AM AWARE OF THE BASIS IN LAW OF OUR RESTRICTIONS  
IN THE US, AND ALSO OF THE PRESENT PRESSURES AGAINST  
THE HIRING OF FOREIGNERS WHO ARE NOT LEGALLY ENTITLED  
TO WORK IN THE US. REALISM REQUIRES, HOWEVER, THAT  
WE BEAR OUR OWN RESTRICTIVE POLICY IN MIND, AS WELL  
AS THE LIMITATIONS IMPOSED IN OUR FOREIGN SERVICE  
REGULATIONS AS CURRENTLY WRITTEN, AS WE GO ABOUT  
EXAMINING PROSPECTS FOR FOREIGN SERVICE SPOUSES'  
EMPLOYMENT OVERSEAS.

6. THE DEPARTMENT'S COMMENTS ABOUT THESE ANOMALIES  
WOULD BE WELCOME.  
CRIMMINS

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EMPLOYMENT, DIPLOMATIC PERSONNEL, DEPENDENTS  
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**Disposition Approved on Date:**  
**Disposition Authority:** greeneet  
**Disposition Case Number:** n/a  
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**Disposition Date:** 28 MAY 2004  
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**To:** STATE  
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